

# **EXHIBIT 10**

**From:** Jonathan Jacobs  
**To:** [Rubman, Gary](#)  
**Cc:** [Dalton, Rebecca](#); [Schaufelberger, Thomas S.](#); [Platt, Henry A.](#); [Gill, Robert C.](#); [Flax, Sherry H.](#); [Matthew Antonelli](#); [Darling, Jeremy B.](#); [Duane Zobrist](#); [Jim Hodges](#); [Hibner-Spencer, Jennifer](#); [VGTvCastleHill](#); [dluthey@gablelaw.com](#)  
**Subject:** Re: VGT v. CHG  
**Date:** Wednesday, December 12, 2018 5:27:17 PM

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Thanks for your email, Gary. I'm available all day tomorrow and Friday for a meet and confer. Please just tell me when.

As for the questions in your letter, I've answered them already the best I can. But I'll try again:

Our challenge to these designations is based on our belief that the designations do not meet the standards under the protective order. I believe the protective order makes it your burden to explain why the designations meet the standards. Perhaps you can explain that during the meet and confer, and if I agree with you, then we won't need to bring this dispute to the Court (or we can narrow the dispute).

I do not believe our process for determining when and which designations to challenge is at all relevant under the protective order. We are challenging these designations now, and likely others in the future. The only open issue right now is whether these particular designations are proper.

In terms of Mr. Sprinkle's deposition, if you'd like to challenge any of the designations made for that or the exhibits, feel free to do so, and my good friends at Saul Ewing will respond.

Thanks, and I look forward to speaking with someone from your team tomorrow or Friday.

Jonny

On Dec 12, 2018, at 5:10 PM, Rubman, Gary <[grubman@cov.com](mailto:grubman@cov.com)> wrote:

Counsel,

Please see the attached correspondence.

Best regards,

- Gary

**Gary Rubman**

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Washington, DC 20001-4956  
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**From:** Jonathan Jacobs <[jjacobs@zoblau.com](mailto:jjacobs@zoblau.com)>

**Sent:** Tuesday, December 04, 2018 9:56 PM

**To:** Rubman, Gary <[grubman@cov.com](mailto:grubman@cov.com)>

**Cc:** Dalton, Rebecca <[RDalton@cov.com](mailto:RDalton@cov.com)>; Schaufelberger, Thomas S. <[tschauf@saull.com](mailto:tschauf@saull.com)>; Platt, Henry A. <[Henry.Platt@saull.com](mailto:Henry.Platt@saull.com)>; Gill, Robert C. <[Robert.Gill@saull.com](mailto:Robert.Gill@saull.com)>; Flax, Sherry H. <[Sherry.Flax@saull.com](mailto:Sherry.Flax@saull.com)>; Matthew Antonelli <[matt.antonelli@saull.com](mailto:matt.antonelli@saull.com)>; Darling, Jeremy B. <[Jeremy.Darling@saull.com](mailto:Jeremy.Darling@saull.com)>; Duane Zobrist <[dzobrist@zoblau.com](mailto:dzobrist@zoblau.com)>; Jim Hodges <[JHodges@HodgesLC.com](mailto:JHodges@HodgesLC.com)>; Hibner-Spencer, Jennifer <[Jennifer.Hibner-Spencer@saull.com](mailto:Jennifer.Hibner-Spencer@saull.com)>; VGTvCastleHill <[VGTvCastleHill@cov.com](mailto:VGTvCastleHill@cov.com)>; [dluthey@gablelaw.com](mailto:dluthey@gablelaw.com)

**Subject:** Re: VGT v. CHG

Hi Gary,

Let's discuss the following designations we do not agree with - below.

We do not believe the documents and portions of the transcript designated below constitute, reflect, or disclose trade secret or other confidential research, development, or commercial information, (the standard for "confidential" under the protective order), let alone that the information is extremely sensitive, the disclosure of which, even limited to the protective order's restrictions for Confidential information, would compromise or jeopardize VGT's competitive business interests (the standard for "highly confidential").

Please let me know when in the next few days someone from your team can discuss.

Thanks,

Jonny

June 14 Deposition:

63:4 - 65:16	Highly Confidential
76:24 - 77:16	Highly Confidential
81:1-25	Highly Confidential
82:1-17, 20-23	Highly Confidential
84:15 - 87:13	Highly Confidential
Exhibit No. 102	Highly Confidential

Exhibit No. 103	Highly Confidential
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October 2 deposition:

23:13 - 24:16	Highly Confidential
25:3-11	Highly Confidential
25:16 - 27:19	Highly Confidential
28:16-22	Highly Confidential
31:5 - 33:15	Highly Confidential
36:10-16	Highly Confidential
37:25 - 38:13	Highly Confidential
40:3-13	Highly Confidential
41:13 - 42:25	Highly Confidential
43:14 - 45:3	Highly Confidential
45:10 - 48:5	Highly Confidential
48:14-25	Highly Confidential
51:19 - 54:5	Highly Confidential
55:6-13	Highly Confidential
56:9 - 61:19	Highly Confidential
62:20 - 64:9	Highly Confidential
69:25 - 73:16	Highly Confidential
78:3 -82:24	Highly Confidential
84:8 - 85:19	Highly Confidential

Exhibit No. 4	Highly Confidential
Exhibit No. 5	Highly Confidential
Exhibit No. 6	Highly Confidential
Exhibit No. 7	Highly Confidential
Exhibit No. 8	Highly Confidential

On Nov 30, 2018, at 2:49 PM, Rubman, Gary <[grubman@cov.com](mailto:grubman@cov.com)>  
wrote:

Jonny,

So that we may better understand the nature of your concerns, can you please let us know which of the revised designations set forth in our letter you disagree with and your reasons for believing they are improperly designated? As I am sure you understand, it is difficult for us to resolve

any remaining differences without knowing which designations you believe are improper. After you provide that information and we have an opportunity to consider your positions, we remain willing to conduct a meet and confer in a further effort to resolve any remaining differences.

Best regards,

- Gary

**Gary Rubman**

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**From:** Jonathan Jacobs <[jjacobs@zoblaw.com](mailto:jjacobs@zoblaw.com)>  
**Sent:** Thursday, November 29, 2018 7:24 PM  
**To:** Rubman, Gary <[grubman@cov.com](mailto:grubman@cov.com)>  
**Cc:** Dalton, Rebecca <[RDalton@cov.com](mailto:RDalton@cov.com)>; Schaufelberger, Thomas S. <[tschauf@saull.com](mailto:tschauf@saull.com)>; Platt, Henry A. <[Henry.Platt@saull.com](mailto:Henry.Platt@saull.com)>; Gill, Robert C. <[Robert.Gill@saull.com](mailto:Robert.Gill@saull.com)>; Flax, Sherry H. <[Sherry.Flax@saull.com](mailto:Sherry.Flax@saull.com)>; Matthew Antonelli <[matt.antonelli@saull.com](mailto:matt.antonelli@saull.com)>; Darling, Jeremy B. <[Jeremy.Darling@saull.com](mailto:Jeremy.Darling@saull.com)>; Duane Zobrist <[dzobrist@zoblaw.com](mailto:dzobrist@zoblaw.com)>; Jim Hodges <[JHodges@HodgesLC.com](mailto:JHodges@HodgesLC.com)>; Hibner-Spencer, Jennifer <[Jennifer.Hibner-Spencer@saull.com](mailto:Jennifer.Hibner-Spencer@saull.com)>; VGTvCastleHill <[VGTvCastleHill@cov.com](mailto:VGTvCastleHill@cov.com)>; [dluthey@gablelaw.com](mailto:dluthey@gablelaw.com)  
**Subject:** Re: VGT v. CHG

Thanks for the letter, Gary. We still do not agree with many of these designations. Considering you know this already and have decided to maintain designations, I assume another round about this is neither necessary for our meet-and-confer obligations, nor helpful in narrowing the dispute for the Court.

But please let me know if you disagree, and, if so, when tomorrow or Monday someone from your team is available to discuss.

Thanks,

Jonny

On Nov 28, 2018, at 4:12 PM, Rubman, Gary  
<[grubman@cov.com](mailto:grubman@cov.com)> wrote:

Counsel,

Please see the attached correspondence.

Best regards,

- Gary

**Gary Rubman**

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<11.28.2018 Letter to CHG.pdf>

<12\_12 Letter to CHG.pdf>